



House of Representatives

General Assembly

File No. 447

February Session, 2004

Substitute House Bill No. 5582

House of Representatives, April 5, 2004

The Committee on Education reported through REP. GIANNAROS of the 21st Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT TO PREVENT CHRONIC SCHOOL TRUANCY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2004*) Any local or regional school
2 board that operates a school with a drop-out rate higher than the state
3 average shall (1) form a truancy response team at such school, and (2)
4 provide early intervention services for any child aged five to sixteen,
5 inclusive, who has received two or more suspensions from a school
6 within the school district under the jurisdiction of such board during
7 the previous or current school year.

8 Sec. 2. Subsections (b) and (c) of section 10-198a of the general
9 statutes are repealed and the following is substituted in lieu thereof
10 (*Effective July 1, 2004*):

11 (b) Each local and regional board of education shall adopt and
12 implement policies and procedures concerning truants who are
13 enrolled in schools under the jurisdiction of such board of education.

14 Such policies and procedures shall include, but need not be limited to,
15 the following: (1) The holding of a meeting with the parent of each
16 child who is a truant, or other person having control of such child, and
17 appropriate school personnel to review and evaluate the reasons for
18 the child being a truant, [provided] and requiring that such meeting
19 [shall] be held not later than ten school days after the child's fourth
20 unexcused absence in a month or tenth unexcused absence in a school
21 year, (2) a visit by appropriate school personnel to the home of each
22 child in a grade from kindergarten to nine, inclusive, whose parent, or
23 other person having control of such child, refuses or fails to attend a
24 meeting held pursuant to subdivision (1) of this subsection, (3)
25 coordinating services with and referrals of children to community
26 agencies providing child and family services, [(3)] (4) annually at the
27 beginning of the school year and upon any enrollment during the
28 school year, notifying the parent or other person having control of each
29 child enrolled [in a grade from kindergarten to eight, inclusive,] in the
30 public schools in writing of the obligations of the parent or such other
31 person pursuant to section 10-184, [(4)] (5) annually at the beginning of
32 the school year and upon any enrollment during the school year,
33 obtaining from the parent or other person having control of each child,
34 [in a grade from kindergarten to eight, inclusive,] a telephone number
35 or other means of contacting such parent or such other person during
36 the school day, and [(5)] (6) a system of monitoring individual
37 unexcused absences of children [in grades kindergarten to eight,
38 inclusive,] which shall provide that whenever a child enrolled in
39 school [in any such grade] fails to report to school on a regularly
40 scheduled school day and no indication has been received by school
41 personnel that the child's parent or other person having control of the
42 child is aware of the pupil's absence, a reasonable effort to notify, by
43 telephone, the parent or such other person shall be made by school
44 personnel or volunteers under the direction of school personnel. Any
45 person who, in good faith, gives or fails to give notice pursuant to
46 subdivision [(5)] (6) of this subsection shall be immune from any
47 liability, civil or criminal, which might otherwise be incurred or
48 imposed and shall have the same immunity with respect to any

49 judicial proceeding which results from such notice or failure to give
50 such notice.

51 (c) If the parent or other person having control of a child who is a
52 truant fails to attend [the] a meeting held pursuant to subdivision (1)
53 of subsection (b) of this section or if such parent or other person
54 otherwise fails to cooperate with the school in attempting to solve the
55 truancy problem, and school personnel have visited the home of such
56 child pursuant to subdivision (2) of subsection (b) of this section, such
57 policies and procedures shall require the superintendent of schools to
58 file for each such truant enrolled in the schools under his jurisdiction
59 (1) a written complaint with the Superior Court pursuant to section
60 46b-149, as amended, alleging the belief that the acts or omissions of
61 the child are such that his family is a family with service needs, and (2)
62 a report of educational neglect with the Department of Children and
63 Families based on truancy.

This act shall take effect as follows:	
Section 1	<i>July 1, 2004</i>
Sec. 2	<i>July 1, 2004</i>

ED *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 05 \$	FY 06 \$
Education, Dept.	GF - Cost	Potential	Potential
Judicial Dept.	GF - Cost	Potential	Potential

Note: GF=General Fund

Municipal Impact:

Municipalities	Effect	FY 05 \$	FY 06 \$
Local and Regional School Districts	STATE MANDATE - Cost	Significant	Significant

Explanation

This bill results in a significant cost to approximately 30 local and regional school districts as it would mandate the creation of truancy response teams and require early intervention services to students in those districts aged five to 16 that have received two or more suspensions during the previous or current school year. Although no data exists on the number of students with two or more suspensions it is estimated that requiring intervention services would result in expenditures significantly in excess of those currently budgeted. To some degree the increase in local services may result in increased costs to the State Department of Education through the various grant reimbursement programs.

Additionally the bill would require all local and regional school districts to expand their policies concerning school absenteeism to all grade levels rather than the current requirement for grades kindergarten through eight. Expanding this requirement to all grades results in a minimal cost to most school districts through increased paperwork and administrative workload.

The bill could increase the number of children referred to the court as belonging to Families With Service Needs (FWSN). The average cost to serve a FWSN is \$1,300, including services. Thus, it would take 77 additional referrals under the bill to result in a significant cost. The likelihood of this outcome cannot be determined at this time.

OLR Bill Analysis**sHB 5582*****AN ACT TO PREVENT CHRONIC SCHOOL TRUANCY*****SUMMARY:**

This bill requires a school board that operates a school with a drop-out rate higher than the state average to (1) form a truancy response team at that school and (2) provide early intervention services to any child in the district aged five to 16 who has received two or more suspensions from a school in the district during the previous or current school year.

The bill expands to all grades the requirement that school boards have policies (1) annually notifying parents in writing of their duties relating to school attendance, (2) annually obtaining parent or guardian contact information, and (3) establishing a monitoring system for individual unexcused absences that includes parental notification. Current law requires boards to have these policies for students in grades kindergarten through eight.

The bill requires school personnel to conduct a home visit in the case of a student in kindergarten through ninth grade whose parent or guardian fails to attend the required meeting with school personnel when a child has had four unexcused absences in a month or 10 in a year.

If a parent fails to attend the meeting and otherwise fails to cooperate in solving the truancy problem and school personnel have made a home visit, the bill requires the superintendent to file a report of educational neglect with the Department of Children and Families based on truancy. This is in addition to the requirement that the superintendent file a written complaint with the Superior Court alleging that the child's behavior indicates that his is a family with service needs (FWSN).

EFFECTIVE DATE: July 1, 2004

BACKGROUND

Family With Service Needs

A FWSN is, among other things, one that includes a child up to age 16 who is truant. School and town officials, the police, social service agencies, and other parties can file a complaint with the Superior Court alleging that a child's family is a FWSN. The court must refer such complaints to a probation officer for investigation.

If the court finds that the child's family is a FWSN, it can (1) refer the child to the Department of Children and Families (DCF) or a school district, (2) commit him to DCF for up to 18 months (with a possible extension), or (3) order him to remain at home under the supervision of a probation officer and school authorities.

Educational Neglect

Educational neglect occurs when a parent of a child age seven through 15, interferes with the ability of the child to receive proper care and attention educationally. Upon receiving a report of educational neglect, DCF may attempt to resolve the situation or file an educational neglect petition with court.

COMMITTEE ACTION

Education Committee

Joint Favorable Substitute

Yea 26 Nay 0